



DOCKET NO.: JAB-1458

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Masure et al.

Art Unit: Unknown

Serial No.: 09/869,079

Examiner: Unknown

Filed: I.A. 12/17/99

For: HUMAN AKT-3

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: MAIL STOP PETITION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

September 30, 2003

(Date of Deposit)

Laura A. Donnelly

Name of applicant, assignee, or Registered Representative

*Laura A. Donnelly*

(Signature)

September 30, 2003

(Date of Signature)

MAIL STOP PETITION  
Commissioner for Patents  
P.O. Box 1450  
Arlington, VA 22313-1450

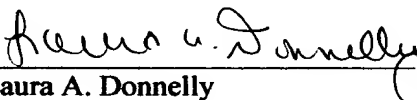
**PETITION FOR REVIVAL OF AN APPLICATION  
FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus an extensions of time actually obtained.

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee --required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee  
☐ Small entity-fee \$ \_\_\_\_\_ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.  
☒ Other than small entity-fee \$ 110.00 (37 CFR 1.17(m))
2. Reply and/or fee  
A. The reply and/or fee to the above-noted Office action in the form of Response to Notice of Defective Response and Preliminary Amendment, including <sup>7</sup>sequence listing (~~identify type of reply~~):  
☐ has been filed previously on \_\_\_\_\_.  
☒ is enclosed herewith.  
B. The issue fee of \$ \_\_\_\_\_.  
☐ has been paid previously on \_\_\_\_\_.  
☐ is enclosed herewith.
3. Terminal disclaimer with disclaimer fee  
☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.  
☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).
4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE. The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].
5. Fee payment:  
☒ Charge the petition fee of \$110.00 to Account 10-0750/JAB-1458/LAD and for any additional fee required. A duplicate of this petition is attached.  
☐ A check in the sum of \$ \_\_\_\_\_ is attached.  
☒ Charge Account 10-0750/JAB-1458/LAD for any additional fee required.

  
\_\_\_\_\_  
Laura A. Donnelly  
Reg. No.: 38,435  
Attorney for Applicant(s)

JOHNSON & JOHNSON  
One Johnson & Johnson Plaza  
New Brunswick, NJ 08933  
Tel. No.: (732) 524-1729

**Date:** September 30, 2003

**Enclosures:** ☒ **Fee Payment** ☐ **Terminal Disclaimer Form**

☒ **Reply** ☐ **Additional sheets containing  
statements establishing unintentional  
delay**

☒ **Other: Preliminary Amendment and Sequence Listing**



(650104D:2)

Akt-1 : MSDVAIVREGMLHKGEXYIRIMRPRYFLKNDGTFIGYKERFQVDQRAEPLNNF SVACQOLMKTERPRNTFFHRCLOQMTTVIERTFHV : 90  
Akt-2 : MNEVSVIREGMLHKGEXYIRIMRPRYFLKNDGTFIGYKERFQVDQRAEPLNNF SVACQOLMKTERPRNTFFHRCLOQMTTVIERTFHV : 90  
Akt-3 : MSDVTVIREGMLVCKRGEXYIRIMRPRYFLKNDGTFIGYKERFQVDQRAEPLNNF SVACQOLMKTERPRNTFFHRCLOQMTTVIERTFHV : 89

Akt-1 : ETPEREEMTIACTVAIGLRKQE--EEBMDFRSGSPSNDSCAEMEVSLARPRHRVTMNEFEYLLKLLGKGTGFKVILVREKATGRYYAM : 178  
Akt-2 : DSEDEREEMRAICMVANSIQRAPGEDMDYKCGSPSISSTTEEMVAUSKARAKUTMMDFYLLKLLGKGTGFKVILVREKATGRYYAM : 180  
Akt-3 : DTEEREEMTEAICAVARLORQE--EERNCSPTSOILMICEBEMDASTTHK-PKTMMDFFYLLKLLGKGTGFKVILVREKATGRYYAM : 176

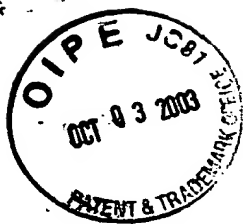
Akt-1 : KILKREVLAKDEVAHTLTENRVLDJERHFFLTALKYSPQTHDRICFVMEYANGGELFFHLSRERVSEDDPARFYGAIEIVSALDYLHSEK : 268  
Akt-2 : KILKREVLAKDEVAHTLTENRVLDJERHFFLTALKYAFQTHDRICFVMEYANGGELFFHLSRERVSEDDPARFYGAIEIVSALDYLHSEK : 269  
Akt-3 : KILKREVLAKDEVAHTLTENRVLDJERHFFLTALKYSPQTHDRICFVMEYANGGELFFHLSRERVSEDDPARFYGAIEIVSALDYLHSEK : 265

Akt-1 : NVYRDLKLENMLDKDGHIKITDFGLCKREGIKOGATMNTFCGTPPEYLAPEVLENDNDYGRAVDMMLGLGVVNYEMMCGRLPFYMQDHEKLF : 358  
Akt-2 : DVYRDLKLENMLDKDGHIKITDFGLCKREGISDGCATMNTFCGTPPEYLAPEVLENDNDYGRAVDMMLGLGVVNYEMMCGRLPFYMQDHEKLF : 359  
Akt-3 : KIVYRDLKLENMLDKDGHIKITDFGLCKREGITDCAATMNTFCGTPPEYLAPEVLENDNDYGRAVDMMLGLGVVNYEMMCGRLPFYMQDHEKLF : 355

Akt-1 : ELILMEIRPPRTLCPPEAKSLLSGLLKNDPKQRLGGGSEDAKETMCHRPFAGIVMCHVYENKLSPPFPNPQVTSMTDTRYFDEEPTACMIT : 448  
Akt-2 : ELILMEIRPPRTLCPPEAKSLLSGLLKNDPKQRLGGGSEDAKETMCHRPFAGIVMCHVYENKLSPPFPNPQVTSMTDTRYFDEEPTACMIT : 449  
Akt-3 : ELILMEIRPPRTLCPPEAKSLLSGLLKNDPKQRLGGGSEDAKETMCHRPFAGIVMCHVYENKLSPPFPNPQVTSMTDTRYFDEEPTACMIT : 445

Akt-1 : ITPPEQDLS--MECVDSERPHFFPQFSYSASCTA : 480  
Akt-2 : ITPPEQDLS--LGLELDQPHFFPQFSYSASCTA : 481  
Akt-3 : ITPPEQDLS--MECVDSERPHFFPQFSYSASCTA : 479

FIGURE 1



Serial No. 09/869,019 Docket No. JAB-1458 By: LAD  
Application of: Masure et al Mailed: Sept. 30, 2003  
Entitled: Human AKT-3

THE FOLLOWING HAS BEEN RECEIVED IN THE U.S. PATENT OFFICE ON THE DATE STAMPED HEREON:

- |   |  |
|---|--|
| <input type="checkbox"/> Oath or Declaration                          | <input type="checkbox"/> MPEP 609/   |
| <input type="checkbox"/> Assignment                                   | <input type="checkbox"/> Notice of Appeal  |
| <input checked="" type="checkbox"/> Charge to Deposit Account 10-0750 | <input type="checkbox"/> Brief   |
| <input type="checkbox"/> Amendment                                    | <input type="checkbox"/> Priority Document   |
| <input type="checkbox"/> Extension of Time                            | <input type="checkbox"/> Status Inquiry  |
| <input type="checkbox"/> Issue Fee Transmittal                        | <input checked="" type="checkbox"/> Sequence Listings/Diskette <i>+ verified statement</i> |
| <input type="checkbox"/> PCT Filing                                   | <input type="checkbox"/> Biological Deposit Declaration                                    |
| <input type="checkbox"/> IDS-Form 1449                                | <input checked="" type="checkbox"/> Other <i>Petition for Revival of</i>                   |
| <input type="checkbox"/> Drawings <u>    </u> sheets                  | <i>or Application</i>  |
|   | <i>Response to Notice of Defective</i>   |
|   | <i>Response + Prelim. Amendment</i>  |